

## CLASSIFICATION OFFICE DECISION

**Title of publication:** Image 6

**Other known title(s):** Not stated

**OFLC ref:** 1100905.005

**Medium:** Computer Image File Printout

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

|                        |                                                                                                                             |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Classification:</b> | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years. |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------|

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 29 September 2011

**Date of direction to issue a label:** No direction to issue a label has been issued

### Summary of reasons for decision:

The availability of the computer image file printout is restricted to persons who have attained the age of 18 years because it explicitly depicts a man's penis as he urinates into a toilet between the legs of another figure. The image is very small and tightly cropped, and it lacks clear context. Its overall effect is playful rather than sexual, but it is intended for adults and is inappropriate for children and young persons.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of all the classification criteria. While there may be other readings for this image, the absence of context means that it must be given the least restrictive classification within a Bill of Rights framework while still protecting the public good from injury. The classification given to this image places a limit on the freedom of expression, but the availability of the computer image file printout to children and young people is likely to be injurious to the public good. The classification is reasonable, demonstrably justifiable and the minimum required to avoid injury.